

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOSE H. CALDERON,

Petitioner,

v.

CASE NO. 2:07-cv-1280  
JUDGE HOLSCHUH  
MAGISTRATE JUDGE KING

CARL ANDERSON, Warden,

Respondent.

**OPINION AND ORDER**

On February 11, 2009, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. Petitioner argues that the evidence was constitutionally insufficient to sustain his convictions. Other portions of petitioner's objections are indecipherable.

Pursuant to 28 U.S.C. 636(b), this Court has conducted a *de novo* review of the Magistrate Judge's *Report and Recommendation*. For the reasons detailed therein, petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Date: March 23, 2009

/s/ John D. Holschuh  
JOHN D. HOLSCHUH  
United States District Judge